

March 30, 2017

The Honorable Scott Pruitt
Administrator, U.S. Environmental Protection Agency
William Jefferson Clinton Federal Building
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Executive Director & General Counsel
Julia Anastasio

Dear Administrator Pruitt:

The Association of Clean Water Administrators ("ACWA") would like to extend our sincere thanks and appreciation for your remarks at our Mid-Year Meeting. Agreeing to address state, interstate, and territorial water program managers so early into your tenure as Administrator illustrates a commitment to the cooperative relationship between the States and EPA.

During your remarks, you discussed several issues that are of critical importance to the states and interstates and we greatly appreciate your commitment to hearing from ACWA and our membership. We will certainly take advantage of this openness and stand ready to help you and your staff advance the Administration's priorities.

Our members also applaud your dedication to ensuring that any infrastructure packages from the new administration not only include, but emphasize, water infrastructure. For instance, you mentioned keeping the State Revolving Funds stable, President Trump's eventual \$1 trillion-dollar infrastructure package, and WIFIA all as funding mechanisms which are high priorities for your agency to maintain as the federal budget becomes more streamlined and efficient. Our members are certainly eager to assist in defending both critical existing funding sources such as the SRFs, as well as support newer ones such as WIFIA, so please let us know how we can help you communicate their value to both OMB and to legislators.

However, we feel it is important to stress that for any infrastructure push to be successful, there must be a strong and stable state partner to administer these programs both efficiently and effectively. To prioritize intended uses and maximize their overall effectiveness, it is essential for states to have the capacity to be able to capably and expeditiously administer these funds, ensuring that SRF/WIFIA projects are able to proceed unencumbered. Moreover, it is essential that these infrastructure projects support state core water quality protection programs.

States rely on federal funding through the State Tribal Assistance Grants (STAG) §106 program to support their clean water programs and ensure that public health and the environment are protected while also supporting the economic growth of their states. Section 106 of the CWA authorizes funding to the states, interstates, territories, and tribes, to assist them in preventing, reducing, and eliminating pollution of the nation's waters. It is these funds that are used to help develop water quality standards, set pollution reduction loads, issue permits, confirm compliance, monitor results, and report on successes. A reduction in these funds could have serious impact on programs like surface

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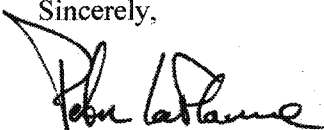
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water management, source water protection and pollution prevention which could significantly increase drinking water utilities' costs associated source water treatment. Additionally, §319 funds are used for critical restoration efforts for waterbodies primarily impaired by nonpoint sources. Given that a majority of the waterbodies on the impaired waters list are impaired as a result of nonpoint source pollution and the public focus on problems such as harmful algal blooms, this funding source remains critical to maintaining beneficial surface water uses and safe water supply sources for drinking water utilities. Should FY18 federal funding to states be reduced dramatically, states will have commensurately fewer resources while their obligations under environmental statutes will remain the same. Drastic cuts to STAG categorical grants will severely limit states/interstates abilities to implement core water protection programs as required by the CWA and the SDWA and provide critically needed technical assistance to struggling communities to ensure clean and available drinking water. We stand ready to help make this important case to both OMB and Congress.

Your remarks on rulemaking, the Administrative Procedure Act, and the EPA's implementation of the Waters of the US (WOTUS) rule all shared a common thread – the need for both early and ongoing contact between states and EPA as new rules are developed. To advance the most focused and results-oriented programs possible, EPA must involve states early in both the development and implementation of CWA regulations and policies. We look forward to working with you, as well as your staff in the EPA Office of Water, on a range of issues including infrastructure, funding flexibility, WOTUS, criteria development, nonpoint source pollution management, and more. As the agencies tasked with actually implementing the CWA within their states, it is paramount that states/interstates are directly involved in the re-write of WOTUS to ensure that EPA fully understands the states perspective on the implications of any revisions. ACWA has a geographically diverse set of state water quality program experts identified and ready to assist the Office of Water as they craft new WOTUS rule language. We look forward to honoring the goals of cooperative federalism as this new rule is developed.

Thank you again for joining us at the ACWA Mid-Year Meeting and for your openness to working with the agency's state partners. We look forward to continuing to build upon our productive and collaborative relationship with the Office of Water. Please feel free to reach out to Julia Anastasio, Executive Director, with any questions or follow-up.

Sincerely,



Peter LaFlamme
Director,
President, ACWA

Cc: Mike Shapiro, Acting Assistant Administrator, Office of Water
John Goodin, Acting Director, Offices of Wetlands, Oceans and Watersheds
Alex Dunn, Executive Director, ECOS